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THE
BENGAL LEGISLATIVE COUNCIL
PROCEEDINGS.

Official Report.)

◆
SECOND SESSION.

1921.

VOLUME II.

April 20th and 21st, 1921.



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1921

GOVERNMENT OF BENGAL.

GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS,
Earl of Ronaldshay, G.C.I.E.

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- 2. Political
- 3. Police.
- 4. Ecclesiastical
- 5. European Education

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- 2. Land Acquisition
- 3. Forests
- 4. Irrigation.
- 5. Excluded areas

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- 2. Separate Revenue
- 3. Commerce and reserved Industrial subjects
- 4. Marine

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- 1. Judicial.
- 2. Jails.
- 3. Emigration.
- 4. Immigration
- 5. Jurisdiction.

GOVERNMENT OF BENGAL.
PRINCIPAL OFFICERS OF THE BENGAL LEGISLATIVE
COUNCIL.

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The Hon'ble Nawab Sir SYED SUAMS-UL-HUDA, K.C.I.E.

DEPUTY-PRESIDENT

Babu SURENDRA NATH RAY

SECRETARY

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Assistant Secretary to the Council—A. M. HUTCHINSON

Registrar to the Council—J. W. MCKAY.

- Cathcart, Mr. M. — [Dacca and Chittagong (European).]
 Chattermajee, Babu Rasok Chandra — [Noakhali (Non-Muhammadan).]
 Chaudhuri, Babu Kishore Mohan — [Rajshahi (Non-Muhammadan).]
 Chaudhuri, Babu Tankanath — [Dinagpur (Non-Muhammadan).]
 Chaudhuri, Khan Bahadur Maulvi Habibz Rahmani — [Bogra (Muhammadan).]
 Chaudhuri, Maulvi Shale Muhammad — [Malda *cum* Jalpaiguri (Muhammadan).]
 Chaudhuri, Rai Harendranath — [24-Parganas Rural North (Non-Muhammadan).]
 Chaudhuri, Sri Ashutosh — [Bogra *cum* Pabna (Non-Muhammadan).]
 Chaudhuri, the Hon'ble the Nawab Sayid Nawab Ali, Khan Bahadur, — [Mirsater, Mymensingh East (Muhammadan).]
 Cochran, Mr. A. — [Bengal Chamber of Commerce (C).]
 Cohen, Mr. D. J. — [Calcutta South Central (Non-Muhammadan).]

D

- Das, Babu Bhishmadev — (Nominated Non-official (Depressed Classes).)
- Das, Mr. S. R. — [Calcutta North West (Non-Muhammadan).]
- Das, Rai Bahadur Anand Nath — (Nominated Official).
- Das Gupta, Babu Niharan Chandra — [Bakarganj North (Non-Muhammadan).]
- Day, Babu Farouddulal — [Hooghly *cum* Howrah Rural (Non-Muhammadan).]
- Day, Mr. G. G. — (Nominated Official).
- Donald, Mr. J. — (Nominated Official).
- Doss, Rai Bahadur Pyari Lal — [Dacca City (Non-Muhammadan).]
- Dutt, Mr. Anoy Chunder — [Bankura East (Non-Muhammadan).]
- Dutt, Rai Bahadur Dr. Haradhan — [Calcutta North Central (Non-Muhammadan).]
- Dutta, Babu Ananda Charan — [Chittagong (Non-Muhammadan).]
- Dutta, Babu Indu Bhushan — [Tippera (Non-Muhammadan).]

F

- Farouqi, K. G. M. — [Tippera (Muhammadan).]
 Forrester, Mr. J. Campbell, — [Presidency and Burdwan (European).]

G

- Ghatak, Rai Sahib Nilmani — [Malda (Non-Muhammadan).]
- Ghose, Mr. D. C. — [24 Parganas Rural South (Non-Muhammadan).]
- Ghose, Rai Bahadur Jogendra Chunder — [Calcutta University].
- Gordon, Mr. A. D. — (Indian Tea Association).
- Gupta, Mr. N. B. — (Nominated Official).

to-day is similarly in the form of a lump sum, though less than the original reduction by Rs. 35,000, which we found on further examination of the papers to have been a double entry in the original budget. Being a lump sum, it is necessary in order to appreciate the nature of it, to study the budget as a whole, and the bearing of this sum in relation to the general expenditure on the police can best be judged of by comparing the budget under police for 1920-21 with the budget as we propose it for the current year. In order to facilitate that comparison, we have circulated to members of Council this printed note, which explains the difference under each head, while attached to each are given brief explanations. The total difference between these two budget amounts is Rs. 40,53,000, and the broad contention which I put to the Council on behalf of Government is that out of this difference we cannot economise this sum of Rs. 22,97,700 which I now ask for, and which I therefore ask the Council to restore to us. Our argument is that after examining these comparisons, as a whole, there is no room for an economy of that magnitude without, as I have said before, either reducing the number of the police, or curtailing the rates of pay given to them, neither being a step which Government is prepared to take, nor a step which, I venture to think the Council would wish us to take. If our main contention that this economy cannot be effected is established, I submit that we are entitled to ask for this vote, but before proceeding to the details of this note, I would refer again, it is necessarily a repetition of what I have already said, to the general considerations which necessitate this growth of expenditure upon the police.

At an earlier meeting of this Council, I put it to the members that, judged by numbers, the police force in Bengal is not of excessive size, and I would again remind the Council that, calculating on the basis of population and area, on the figures taken in 1918, we have only one superior officer (either a member of the Imperial Police or a deputy superintendent) to 367,000 people and 607 square miles, while we have only one subordinate officer to 2,014 people and 3.3 square miles, understanding by a subordinate officer everybody from the rank of inspector to constable. I maintain that this proportion *prima facie* shows that, looking to the size of the province, the force is not excessive in numbers, a contention which can also be established by comparison with other provinces, as these proportions of population and area are larger in Bengal than in any other province except Bihar and Orissa. So much for numbers.

As regards pay, we have in recent years, and last year in particular, found it necessary to raise the pay of the police, just as we and all other provinces have found it necessary to raise the pay of so many other services. Perhaps some members will have noticed in the papers two or three days ago, that a police scheme has been put forward in the United Provinces involving an increased expenditure of Rs. 34 lakhs,

Sir Henry Wheeler, yesterday, in a manner, deprecated vigorous criticism of the police. I can assure him that I shall not take mean advantage of this debate to criticise the police, though there is justification enough for a vigorous criticism. It is not a pleasant task to have to criticise this department; but I shall only ask the Hon'ble Sir Henry Wheeler one simple question: "Why is it that the police do not get the sympathy and co-operation of the people here?" In England, I have seen from personal experience, that the policeman is regarded as the people's friend. How is it that the public do not regard the police in that light here? Is it because the whole nation has got a vicious mentality or is it because some screw is loose somewhere in the organisation and management of the Police Department? I earnestly request all the members of this Council to seriously consider the question.

Why was it that the lump grant of Rs. 23,00,000 was refused by this Council the other day? As I clearly stated, during the discussion on Mr. Rhodes' motion on the 1st April, as far as I could read the meaning of the vote, it was meant as a censure on the manner in which the department was managed, and also as a protest against the extravagant increase of expense that was being incurred from year to year. Of course, there was the feeling also that in a year of deficit Budget, an economy of a large sum of money was being effected.

How has the position changed since that vote? During the discussion on Mr. Rhodes' motion, it was clearly stated by many of the members of this Council, that if fresh and complete details were furnished and the members were satisfied, then they would be ready to reconsider the matter. As regards this debate, even His Excellency said: "If I have rightly understood them (the speeches), it is your desire to give further consideration to the question of the amount, which you may deem necessary for the proper maintenance of an adequate police force in the light of any further information which the Government may give you." May I ask, in all seriousness, whether this light of information was given to us in time, and now that it has been given to us, is it quite satisfactory to us? Has it removed the darkness? Has it made darkness all the more visible?

First of all, about the great delay in supplying us with the detailed information, a notice of a supplementary Budget, though I cannot understand how this review of an old Budget can be regarded as a supplementary Budget, was sent to us demanding a lump sum of Rs. 22,97,000 and asking us to send in amendments of reduction or refusal by Friday, the 15th April. By that date, we had absolutely no detailed information to guide us. We only knew that the demand was Rs. 35,700 less than the refused grant. We now know, how a clerical mistake nearly made us grant an extra sum of Rs. 35,000, but then, we were absolutely in the dark about the matter. We could not guess whether this item was for the Calcutta Police, or for the Bengal Police, whether for the Dockward Police, River Police or Railway Police; whether it included

provides that a matter of this character may be brought before the House. One of the members has said that the system of dyarchy is responsible for this. It may or it may not be so. But when we are in this House we must accept the constitution as it is and therefore our work must be upon the constitution as it is so long as it remains so. We may point out outside, or we may show from the proceedings here, that the scheme is not a workable one and requires amendment, but so long as we are here we ought to accept the position that it is the constitution.

Sir, so far as the matter before us is now concerned, I feel that particulars have now been given to us. It is not necessary to wade through a mass of irrelevancies to approach this matter. The facts are there, the figures are there, and we ought to discuss this grant and try to understand what is wanted and what we can legitimately give. It is quite true that the police as a body is not liked in this country. It does not enjoy a good reputation. It is quite true that we have a serious grievance so far as the Police Department is concerned, and it is quite true that out of a net revenue of 8 crores of rupees, so far as this province is concerned, two crores of rupees go to the police, which to an ordinary individual, is an enormous charge, namely, 25 per cent. of the whole of our income goes to the police. But the police has to do work—work which we know cannot be done without a large number of men. We know also that we have been struggling for many years to increase the pay of the police and make them efficient. It has been felt absolutely necessary that their pay should be increased, and we know now from the figures given to us that Rs. 18,00,000 out of the sum which is required are to go to our poor sub-inspectors, head-constables and constables. There are only Rs. 10,000 which go to the European police. We have got these figures and therefore I ask the House to consider and determine the matter from that standpoint.

I quite sympathise with my friend, Babu Surendra Nath Ray, in his trials and tribulations. He reminded me of the story of Japhet in search of his father. One would not like to be in that position. He went from A to B and from B to C and C to D to get some information. At last he went to Sir Henry Wheeler, and from him also he did not get much information, as he told us. We quite sympathise with him, but so far as this matter is concerned we have the details and are now in a position to judge for ourselves. Materials have been placed before us to consider and we should consider them.

Babu KISHORI MOHAN CHAUDHURI: I do not think I should be silent in this debate. The position is a very awkward one for me at least. On one side the demand is that the full amount of Rs. 22,00,000 be voted, while on the other that the whole amount be refused. As a representative of the people I explained my situation that I cannot support Government in entirety. I have a duty to my constituents, and I think I shall fail in it if I support the Government view that the full amount should be

think over the matter; if this police grant be refused what would be its effect upon the police officers? One member suggested that the Government ought to know that it can control its own officers, but we know that outside the Council there are many influences at work; there are many movements going on and these movements are going on not in this province only, not in this country only, but throughout the whole world. Therefore the position is this: Supposing we refuse this grant, what would be the effect? Supposing the police officers who expect some betterment—some increase in their pay and allowances—venture to go on strike for two months, I put it to the Council what inevitable result would follow from that? Has anybody conceived it? We have experience about the strike of the tramwaymen, the strike of the mill people, but let us imagine for one moment the strike of police officers the result of which we shudder even to dream. Again I remind the House we have come to this Council to transact business and we must act like businessmen and we should not be guided by sentiments or feelings. No doubt the voice of the people of the province is that we must curtail our expenditure as much as possible. But, Sir, when we have come to the Council here to make the reforms a success by constitutional means, by gradual evolution, and not by revolution, certainly it is our first duty to see that there must be preservation of peace and order, and I think if we want this we must carefully think before we try to dissatisfy the police.

That is, of course, one consideration. Let us go to the other side of the question. If any gentleman of this Council asks me to support this motion, he will have to say why I should support it—he will have to show why he wants a reduction under all its particular heads. I find here that *A plus B plus C plus D plus E* makes *X*. Various details have been given and several amendments asked for a reduction of expenditure under several detailed heads, and when I read all the amendments, I thought that the members of the Council must have gone through the whole supplementary budget and must have thought that these were the only items which were possibly objectionable. But after discussing all the amendments, head by head, item by item, what conclusion have we arrived at? Our conclusion is that we must not cut down these items. As this matter has been discussed item by item and all the amendments have been negatived, on what other particular items we want a reduction now I fail to understand. It is now just like the empty formula of philosopher Kant—form without matter. Certainly I am not an abstruse philosopher like Kant. This motion is just like saying, "Don't reduce this head, don't reduce that head, but reduce the whole thing." It seems to me very arbitrary and it does not stand to reason how without being able to refuse each particular item I am in a position to say conscientiously that the whole thing should be refused. These items have been thoroughly examined and each member has said what he had to say. And I fail to understand how I can now conscientiously,

without a clear and definite idea of my own, support this particular motion. If I have to support this motion without reference to any particular item, I will have to support it blindly without knowing the reasons for so doing. I had a conversation about half an hour ago with one of the supporters of this motion, and I wanted to know his arguments. I told him that if he could convince me of the reasonableness of refusing the demand, I would certainly be with him. He told me that his only reason was that the Council once refused it and for the sake of the honour and prestige of the Council we must support the motion. I cannot be a blind follower like that. Simply because we refused it on the last occasion, therefore without any rhyme or reason and without doing justice to my conscience, simply to keep the prestige and the honour of the Council (as if the Council is not liable to make any mistake) we should not support the motion. What I beg to submit in this connection is that before we decide as to what to do in this matter we must make our ideas clear and definite and we must be thoroughly satisfied that we want reduction on all its particular heads, and it is after that only that we can conscientiously vote for or against it.

Rai HARENDRANATH CHAUDHURI: I feel I cannot but support the motion that has been moved by my friend, Babu Indu Bhushan Dutta, and in doing so, I think I ought to explain my position. I am one of those who, in connection with the discussion on Mr. Rhodes' motion, expressed the view, that if the Standing Committee approved of the additional grant, then we should be prepared to consider this supplementary budget. But here there is nothing to show what view the Standing Committee has taken and whether in their opinion this additional grant is absolutely necessary. Hence I beg to say that when the condition on which we agreed to reconsider this proposal has not been satisfied I am not prepared to go back upon my original vote. Moreover, two things of importance have come to pass since the discussion on Mr. Rhodes' motion which have made us reconsider our position—the first is the statement made by His Excellency the Governor and the second the discussion in the House of Commons which we have come to know of late. From the statement of His Excellency the Governor we have come to know that his power to restore refused or reduced grants is not confined only to exceptional circumstances or extraordinary cases, but that his idea is he can exercise that power even in normal conditions and ordinary cases. And what have we learnt from the discussion in the House of Commons? It is this: That the Secretary of State for India has been pleased to say in answer to questions from the members for East Sussex and Leicestershire, that he leaves the matter to His Excellency the Governor. Under these circumstances, I do think that we should not and need not gratuitously take upon ourselves the responsibility of voting this additional grant.

But I cannot take my seat without replying to the point raised by Mr. Syed Nasim Ali. Mr. Nasim Ali says that this motion is like the Kantian form, without matter. I beg to remind my friend, Mr. Nasim Ali, a student of Kantian philosophy as he is, that he should not look for the matter to the same source to which he is to look for the form. The form, however, is none the less real nor of less value for that.

With these remarks I take my seat.

Mr. TARIT BHUSAN ROY: I regret that I have to oppose the motion of my friend, Babu Indu Bhushan Dutta. I may tell this Council the circumstances which have led me to this course. My friend, Babu Indu Bhushan Dutta's motion is to the effect that the entire demand be refused. My submission to the Council is that this motion is impracticable and that no effect can be given to the motion in this form, having regard to the fact that this Council only yesterday and to-day have negatived certain other motions relating to the items which make up this entire demand. What will happen if my friend's motion is now accepted by the Council? My friend's motion is to the effect that the entire sum be disallowed, but this Council has resolved that a portion of this demand should be allowed. Therefore my submission is that the motion of my friend in the present form is such that no effect could be given to it even if it is carried.

Babu INDU BHOSHAN DUTTA: May I rise to a point of order? My motion does not contain any details.

The PRESIDENT: That is quite clear: the List of Business shows that.

Mr. TARIT BHUSAN ROY: My friend, Babu Indu Bhushan Dutta, has made quite a forcible speech in commending his motion to the acceptance of the Council. I will not for one single moment conceal the fact that it is the public impression that the police in the country is extremely unpopular. Even so far ago as 1901 no less an authority than Sir John Woodburn had characterised the police as tyrannical and dishonest. My object in opposing the motion is this—Are we justified now, having induced the Government by assurances, to make this supplementary demand—shall we be justified now in refusing this grant? My friend behind me asks as to who has given that assurance. I have heard a report that an assurance was given by my friend, Babu Surendra Nath Ray, and that he had even led a deputation which had waited upon His Excellency in this respect. My friend will please contradict me if I am not correct. One of the grievances which we made upon the motion of my friend, Mr. Rhodes, was that on the last occasion, when we came to a decision, sufficient details had not been given to us, and the view was also expressed—the hope was also expressed—in clear and unmistakable language, that we should await the decision of our Standing Committee in coming to a conclusion on this occasion. But is it not the fact that the Hon'ble Sir Henry Wheeler, representing the Government—the

Executive—has furnished us with the details? What is it that has precluded our chosen representatives, who formed members of the Standing Committee, from submitting any statement or recommendations to this Council? In the absence of these details from our own representatives, have we any other choice except that we should accept the demand made by the Hon'ble Sir Henry Wheeler? Who is it that has placed a gag upon the mouth of our representatives? They were at perfect liberty to make any statements they pleased with regard to this demand, but they have not chosen to do so. I do not know why they have done so. I asked some of my friends who were members of the Standing Committee as to what was it that had induced them to keep quiet on this matter, but they said that the proceedings of the Standing Committee were confidential. Well, it has been said—and often said—that the Members of the Executive—of the Indian Civil Service—are so many autocrats, they are sun-dried bureaucrats; but here, in this instance, they have given us particulars, they have given us details, but our own countrymen—our own chosen representatives—have not ventured to come forward before us and redeem the pledge which was given to us on the last occasion upon the discussion over the motion of my friend, Mr. Rhodes. Speaking for myself I do not think it is open to us now at this stage, after the details have been placed before us, to reject the demand which has been made, and having regard particularly to the fact that our own representatives have not placed any facts or details before us on this point although pressed to do so.

Mr. F. A. LARMOUR: I move that the question be now put.

The Hon'ble Sir HENRY WHEELER: Usually, doubtless, the Member in charge would reply, but as it is clear that the merits of the question have been thoroughly discussed, and as there is nothing new that I can say, I do not propose to speak further.

The question that the question be put was put and agreed to.

Babu Indu Bhushan Dutta's motion was then put and a division taken with the following result:—

AYES.

Ahmed, Khan Bahadur Maulvi Wasimuddin.
Ahmed, Munshi Jafar.
Ali, Maulvi A. H. M. Wazir.
Ali, Munshi Amir.
Ali, Munshi Ayub.
Arhamuddin, Maulvi Khandahar.
Bhattacharji, Babu Hom Chandra.
Chaudhuri, Babu Kishori Mohan.
Chaudhuri, Khan Bahadur Maulvi Nazir Rahman.
Chaudhuri, Rai Harendranath.
Dutta, Babu Indu Bhushan.
Ghatak, Rai Sahib Nilmani.
Ghose, Rai Bahadur Jagendra Chandra.

Haq, Shah Syed Emdadul.
Huq, Maulvi Ekramul.
Janah, Babu Sarat Chandra.
Khan, Maulvi Hamid-uddin.
Maitra, Dr. Jatindra Nath.
Makramali, Munshi.
Mitra, Rai Bahadur Mahendra Chandra.
Mukharji, Babu Satish Chandra.
Mukhopadhyaya, Babu Sarat Chandra.
Nasir, Babu Hom Chandra.
Pahlewan, Maulvi Md. Abdul Jubbar.
Ray, Babu Shabendra Chandra.
Ray, Kumar Shis Shekharwar.
Ray Chaudhuri, Babu Brojendra Kishor.

NOES.

Addy, Babu Amulya Dhen.
 Ahmed, Maulvi Azaharuddin.
 Ahmed, Maulvi Rah Uddin.
 Ali, Maulvi Syed Muksood.
 Ali, Mr. Syed Nassim.
 Banerjee, the Hon'ble Sir Surendra Nath.
 Birla, Babu Chaneshyamdas.
 Birley, Mr. L. C.
 Bompas, Mr. C. H.
 Bose, Mr. S. M.
 Cathcart, Mr. M.
 Chaudhuri, the Hon'ble the Nawab Saiyid
 Nawab Ali, Khan Bahadur.
 Cochran, Mr. A.
 Cohen, Mr. D. J.
 Das, Babu Shishmadev.
 Das, Mr. S. R.
 Dey, Mr. C. C.
 Donald, Mr. J.
 Farequi, K. C. M.
 Gordon, Mr. A. D.
 Gupta, Mr. N. S.
 Harnell, Mr. W. W.
 James, Mr. R. H. L. Langford.
 Kerr, the Hon'ble Mr. J. H.
 Khan, Babu Devendra Lal.
 Khan, Maulvi Md. Raheque Uddin.
 Khan, Mr. Razeur Rahman.
 Lang, Mr. J.
 Larmour, Mr. F. A.
 Lees, Mr. D. H.

Marr, Mr. A.
 McKenzie, Mr. D. P.
 Mitter, the Hon'ble Mr. P. C.
 Morgan, Mr. C.
 Mukherjee, Babu Nitya Dhen.
 Mukherji, Professor S. C.
 Mullick, Babu Nirode Behary.
 Mullick, Babu Surendra Nath.
 Nakey, Mirza Muhammad Ali.
 O'Malley, Mr. L. S. S.
 O'Kinealy Lt.-Col. Frederick.
 Poddar, Babu Keshoram.
 Pugh, Colonel A. J.
 Payne, Mr. C. F.
 Raheem, Mr. Abdur.
 Rahim, the Hon'ble Sir Abd-ur.
 Ray, Babu Surendra Nath.
 Ray Choudhury, Raja Manmatha Nath.
 Rhodes, Mr. C. W.
 Roy, Babu Jogendra Nath.
 Roy, Mr. Tarit Bhushan.
 Sarkar, Babu Jogesh Chandra.
 Sinha, Babu Surendra Narayan.
 Stark, Mr. H. A.
 Suhrawardy, Dr. A.
 Suhrawardy, Dr. Hassan.
 Suhrawardy, Mr. H. S.
 Swan, Mr. J. A. L.
 Watson-Smyth, Mr. R. M.
 Wheeler, the Hon'ble Sir Henry.
 Wordworth, Mr. W. C.

The Ayes being 27 and the Noes 61, the motion was lost

Babu SURENDRA NATH MULLICK: In view of the fact that the amount of Rs. 4,20,000 proposed to be deducted by this motion of mine has already been disallowed in my previous motions, I do not think it proper any longer to move my next amendment, particularly in view of the extra loyalist proclivities of many of my friends here since yesterday for reasons and influences to which I need not refer.

The following motion was then, by leave of the Council, withdrawn:
 "That the supplementary demand under '26 Police' be reduced by Rs. 4,20,000."

The original motion of the Hon'ble Sir Henry Wheeler that the supplementary grant under the head "26 Police," as amended in Council, be given was then put and agreed to.

Prorogation.

The Secretary to the Council then handed to the President a notification by His Excellency the Governor of Bengal proroguing the Council which the President read out to the members.

The notification was as follows:—No. 1217L., date the 21st April, 1921. In exercise of the power conferred by section 72B, sub-section (2) of the Government of India Act, His Excellency the Governor is pleased to declare that at the conclusion of the meeting on the 21st April, 1921, the Bengal Legislative Council stands prorogued.

The members then dispersed.

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